

Public Document Pack

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18 July 2019

Dear Member,

County Council - Friday, 19 July 2019

Please find enclosed the briefing notes for the motions to be referred at the meeting of the County Council to be held on Friday, 19 July 2019.

Agenda No	Item
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7(a)	Motion on Small Schools Federations (Pages 3 - 4)
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Briefing note on factual background information attached.

7(b)	Motion on governance system (Pages 5 - 6)
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Briefing note on factual background information attached.

7(d)	Motion on Prospective sale of County Council-owned land at Withy Patch (Pages 7 - 10)
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Briefing note on factual background information attached.

Yours sincerely

Tony Kershaw
Director of Law and Assurance

To all members of the County Council

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County Council – 19 July 2019

Item 7(a) - Notice of Motion by Dr O’Kelly

Small Schools Federations - Briefing Note

In 2018, West Sussex produced, with the engagement of schools and stakeholders, a School Effectiveness Strategy to drive the authority’s approach to improving the quality of education and outcomes for young people in West Sussex. Within this Strategy, a commitment was made to look at different ways of supporting small schools where there may be future risk due to enrolment, funding and the ability to deliver quality.

The Strategy highlighted the intention to work with governors and to look at consultation on any changes required including federation, merger, expansion of age groups, and also closure where schools were identified at risk. Where a school is inspected as inadequate, the options are narrowed to either academisation or closure.

The local authority has actively promoted federations between schools, to strengthen the sharing of expertise and knowledge, and has engaged schools in working together to support more formally where this has felt the most appropriate option. Significant efforts are being made to work with governing bodies interested in considering federation option. Officers from the School Improvement Service and School Organisation and Development are available to discuss federation options if governing bodies request.

The County’s Schools Forum has been advised that additional support will be offered to schools that have formally federated to support the early days of federation and to ensure that the leader and federation is supported through the first two years of federation. All schools have a link adviser who is attached to the school and is accessible to governors. Additional support to schools over and above this is available through the County Council’s traded work with schools.

It is right that the local authority keeps its schools under review where there are future risks to ensure that provision for all our pupils and young people is as strong as it needs to be. Where there are schools at risk due to different factors, the County Council will seek to ensure that broader views are taken from interested groups and individuals to determine what options would be the most appropriate for the future direction of each school.

Paul Wagstaff

Director of Education and Skills

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County Council – 19 July 2019

Item 7(b) - Notice of Motion by Dr Walsh

Governance system - Briefing Note

The committee system is a method of decision-making where a collective group of elected members meet, debate proposals and make decisions, usually in the public domain. Committees are usually politically proportionate. This method of governance was the predominant method in local government for many years.

The Local Government Act 2000 introduced new systems of governance, including the Leader and Cabinet model for executive decision-making, which was adopted by the County Council and most other local authorities. The committee system was abolished for all but the smallest local authorities.

The County Council implemented individual decision-making by the Leader and Cabinet Members, making full use of the flexibilities of the Act. The County Council also implemented a proactive scrutiny function of politically proportionate scrutiny committees to sit alongside cabinet member decision-making and provide public scrutiny of major decisions prior to their determination by a cabinet member.

The Localism Act 2011 amended the Local Government Act 2000 to enable local authorities to revert to the committee system either if the council itself agreed this, or if a petition of at least 5% of the electorate of West Sussex was received asking the Council to change its governance arrangements.

The Governance Committee considered governance options in January 2012, after the publication of the Localism Act 2011. At the time, the Committee considered that the cabinet system had a number of advantages over the previous system, as an efficient, fast decision-making process with clear lines of accountability that could be easily understood and that the scrutiny arrangements provided an effective mechanism for holding the executive to account.

The Leader and Cabinet executive model is still the most common governance arrangement in local government. Of the 26 two-tier county councils, two operate the committee system. Norfolk County Council went back to the committee system but has since reverted to the Leader and Cabinet executive model. One neighbouring unitary authority, Brighton and Hove City Council, uses the Committee system.

Tony Kershaw

Director of Law and Assurance

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County Council – 19 July 2019

Item 7(d) - Notice of Motion by Mr Jones

**Prospective sale of County Council-owned land at
Withy Patch - Briefing Note**

Introduction

This is a complex site to bring forward for development and the County Council has a variety of interests which are explained below.

In October 2018 the Planning Committee of Adur District Council resolved to approve a planning application for 600 new houses and an Ikea store, to be built in Lancing on the site known as New Monks Farm, subject to completion of a section 106 planning agreement.

The County Council is a landowner of the gypsy and traveller site known as Withy Patch, which forms a small part of the land within the proposed development scheme of New Monks Farm and is located directly in the path of the proposed access to the site from the A27.

The County Council has been in negotiation with the developers (now known as The Community Stadium Ltd) regarding the sale of the land at Withy Patch and the provision of a new gypsy and traveller site within the New Monks Farm development but has yet to reach an agreement on this matter. The County Council has also been in negotiation regarding the S106 contributions towards education provision arising from the New Monks Farm development but has not yet reached an agreement on this matter.

Further work is being undertaken by the County Council's appointed valuers to understand the overall viability of the New Monks Farm development and how this affects the ability of the developer to deliver contributions for education and to reach an agreement on the value of the Withy Patch land.

Withy Patch - Land Ownership

The gypsy and traveller site is owned and managed by the County Council. The land has been used as a gypsy and traveller site since the late 1980's.

The site forms a part of the proposed access to the development. The developer has included within their proposals an alternative site for the relocation of the gypsy and traveller families and proposes to build a new purpose-built site.

There is currently no formal legal agreement in place between the developer and the Council for the use of Council land for the proposed access nor an agreement that the Council will dispose of the land. The value of the disposal of a County Council asset requires valuation in accordance with section 123 Local Government Act 1972 (to ensure best consideration).

It has been agreed that the developer will share further information with the Council's appointed valuers, Montagu Evans, to allow a better understanding of

the development's viability and to establish a position in relation to the valuation of the land. There are also covenant and title issues to resolve as part of any proposed land transfer.

Withy Patch - Gypsy and Traveller Site

Management of the County Council's gypsy and traveller sites was brought back in-house in November 2017.

The County Council has not directly sought the views of residents in respect of the planning application as that is a matter for the planning process managed by Adur District Council. Residents were actively engaged in responding to the planning application through a variety of channels. The County Council will engage with site residents directly to assist the preparation of any proposals prior to any decision to transfer the land. This stage has not yet been reached.

The developers propose to replace the gypsy and traveller site as part of the new development with improvements to the current amenities.

- The size of each individual plot is to be increased.
- Each plot would have a larger utility block with improved facilities sufficiently sized to allow for disability adaptations.
- Residents will purchase their water and electricity directly from the supplier of their choice reducing administration processes and costs.
- The site would eventually be on mains drainage reducing the inconvenience of current arrangements.
- The new site would pass to the ownership of the County Council. The only regular costs to the Council would be for electrical supply to the communal area street lighting together with ongoing maintenance as is the case currently with Withy Patch and all other sites.

Adur and Worthing Growth Deal

- Delivering growth at New Monks Farm is a priority in the Adur and Worthing Growth Deal signed in March 2017 and includes a commitment to resolve the property position in relation to Withy Patch.
- The planning permission subject to a s106 agreement is for a development of 600 homes (30% affordable) and an Ikea superstore.
- The development is intended to contribute 875 jobs to the local economy, circa 400 of which are directly related to the Ikea store and include an Apprenticeship Programme.
- The provision of 600 new dwellings is intended to help meet the challenging housing requirements in an area with limited capacity.
- The whole development has the potential to add approximately £11.4m GVA to the local economy

Education Provision

Pupil projections based on the proposed housing numbers from both the New Monks Farm and West of Sompting developments project the need for a new 1 Form Entry (FE) primary school (210 pupils), but expandable to 2FE (420 pupils). Contributions from both developments will be needed to meet the

estimated £6m build costs for a new 1FE, expandable to 2FE, primary school. Costs are based on recent typical examples and may change subject to design, specification or market conditions.

The site at New Monks Farm is identified by the Council as needing to provide land and contributions (approximately £3.2m) towards a new 1FE expandable to 2FE primary school, with early years facilities. The west of Sompting site is to provide financial contributions (approx. £2.8m) towards the cost of providing the 1FE primary school plus early years facilities to mitigate the impact of its development. These contributions have yet to be secured and, without these developer contributions, the cost of providing the new primary school would fall upon the County Council.

Expansion of other local schools is not advised as this will require families to travel away from the New Monks Farm and West of Sompting developments to secure school places. Recent strategic site developments have all provided a new school on the site to minimise traffic movements and encourage parents/carers to walk or cycle their children to school.

Lee Harris

Executive Director of Place

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